

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

JOHN MONROE,

Plaintiff,

**Case No. 2:12-cv-837
JUDGE GREGORY L. FROST
Magistrate Judge Norah McCann King**

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

ORDER

This Court previously reversed the decision of the Commissioner of Social Security and remanded to the Commissioner for further proceedings. (ECF No. 20, 21.) This matter is now before the Court upon the Report and Recommendation of the Magistrate Judge that Plaintiff be awarded \$2,900.00 in attorney fees under the Equal Access to Justice Act (“EAJA”), 28 U.S.C. § 2412. (ECF No. 25.) The Magistrate Judge further recommended that the award be made payable to Plaintiff’s attorney pursuant to an assignment executed by Plaintiff, provided that the parties verify that Plaintiff owes no pre-existing debt subject to offset. (*Id.* at PageID# 1008.) The Magistrate Judge made her recommendations based on the parties’ stipulation. (ECF No. 23.)

The Report and Recommendation specifically advises that the failure to object to the Report and Recommendation within fourteen days of the date of the Report results in a waiver of the right to de novo review by the District Judge and waiver of the right to appeal the judgment of the District Court. (ECF No. 25 at PageID# 1009.) The time period for filing objections to the Report and Recommendation has expired with no party filing an objection.

The Court has reviewed the Report and Recommendation. Noting that no objections have been filed and the time for filing such objections has expired, the Court **ADOPTS** the Report and Recommendation (ECF No. 25.) The Court **ORDERS** that Plaintiff be awarded \$2,900 in attorney fees under the EAJA and **FURTHER ORDERS** that, if the parties verify that Plaintiff owes no pre-existing debt subject to offset, the award be made payable to Plaintiff's attorney pursuant to the assignment executed by Plaintiff in favor of his counsel.

IT IS SO ORDERED.

/s/ Gregory L. Frost
GREGORY L. FROST
UNITED STATES DISTRICT JUDGE